



U.S. Immigration
and Customs
Enforcement

February 8, 2006

News Release

MEXICAN WOMAN, RUSSIAN MAN INDICTED FOR VISA FRAUD

The couple is accused of fraudulently obtaining about 300 foreign labor visas

KANSAS CITY, Mo. — The operators of a Branson, Mo., company that provides workers to area hotels were indicted by a federal grand jury today for submitting false statements in order to obtain foreign labor visas for hundreds of employees. This case is being investigated by U.S. Immigration and Customs Enforcement (ICE), and the indictment was announced today by Todd P. Graves, U.S. Attorney for the Western District of Missouri.

Monica A. Lopez, 24, a citizen of Mexico residing in the Branson area, and Serguei Choukline, 47, a citizen of Russia residing in Springfield, Mo., were charged in an eight-count superseding indictment returned by a federal grand jury in Kansas City. Lopez and Choukline together operate Midwest Hotel Management Corp., 1316 W. Hwy. 76 in Branson.

Today's superseding indictment replaces the original indictment that was returned under seal Jan. 10 by adding Choukline as a co-defendant. It also replaces a federal criminal complaint that was filed against Choukline Jan. 19.

Today's indictment involves the use of temporary worker visas. The temporary worker program is designed to allow foreign workers to provide labor for certain industries after it has been determined that there is a legitimate need for the work and that there are an insufficient number of citizens or other legal aliens to provide the labor.

According to today's indictment, Lopez and Choukline aided and abetted each other in the fraud scheme through their positions with Midwest Hotel Management. Midwest allegedly submitted 15 foreign labor visa applications containing numerous false statements in order to obtain about 300 foreign labor visas, including a visa for Lopez, who is director of human resources for Midwest. Through the use of a fraudulently obtained foreign labor workforce, the indictment says, Midwest received about \$1.5 million in ill-gotten gains.

The false statements contained in these visa applications, the indictment alleges, include naming fictitious corporate officers, providing fraudulent reference letters, manufacturing fraudulent employment interviews of U.S. citizens, improperly listing places of employment, and the unauthorized use of an address supplied by Midwest Hotel Management as their corporate office.

Today's indictment alleges that Lopez made multiple and ongoing false statements in order to gain and maintain legal residency and employment status to facilitate the larger fraud scheme.

Counts One and Four of the federal indictment allege that Lopez and Choukliner made false statements concerning Lopez's residency and employment status on Form I-29 Petition for Non-Immigrant Worker on Aug. 12, 2004. These same falsehoods were repeated on July 11, 2005, when they were incorporated in a visa application for Immigrant Petition for Alien Worker and Permanent Resident Status.

Counts Two and Five of the federal indictment allege that Lopez and Choukline committed mail fraud.

Count Two of the federal indictment alleges that on Aug. 12, 2004, Lopez and Choukline obtained a visa for Lopez by false pretenses and then mailed it to document her employment.

Count Five of the federal indictment alleges that on July 12, 2005, after falsely obtaining the visa, Lopez and Choukline caused a petition for Non-Immigrant Worker and for Permanent Resident Status to be mailed to the Department of Homeland Security in order to execute the fraud scheme.

Counts Three and Six allege that Lopez and Choukline committed visa fraud.

Count Three of the federal indictment alleges that on Aug. 12, 2004, Lopez and Choukline, having devised a scheme to defraud the government and obtain an immigration visa under false pretenses, caused an I-140 Petition for Non-immigrant Worker to be filed with U.S. Citizenship and Immigration Services. As a result, the indictment says, Lopez received a Non-immigrant Worker visa, which is valid until Aug. 1, 2007.

Count Six of the federal indictment alleges that on July 12, 2005, Lopez and Choukline having devised a scheme to defraud the government and obtain an immigration visa under false pretenses, caused an I-140 Petition for Nonimmigrant Worker, an I-485 Application to Register Permanent Resident or Adjust Status and G-325 (Biographical Sheet) to be filed with U.S. Citizenship and Immigration Services.

Count Seven of the federal indictment alleges that, from June 15, 2004, to July 31, 2005, Choukline encouraged or induced Lopez to enter and reside in the United States, knowing that she was an illegal alien.

Count Eight of the federal indictment is a forfeiture count, which would require Choukline to forfeit to the government any property used to commit the offenses alleged in Counts Three and Six, including property located at 3634 W. Suzanne Place in Springfield, Mo.

Graves cautioned that the charges contained in the indictment are simply accusations, and not evidence of guilt. Evidence supporting the charges must be presented to a federal trial jury, whose duty is to determine guilt or innocence.

Assistant U.S. Attorney David A. Barnes, Western District of Missouri, is prosecuting this case. It was investigated by the U.S. Immigration and Customs Enforcement (ICE) and the Department of Labor, Office of Inspector General.

ICE

U.S. Immigration and Customs Enforcement was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of four integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.